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Date: January 16, 2009 Name: Vincent J. Gnoffo, Reg. No. 44,714 Signature: 

PATENT

CASE NO. 8285/283

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Theodore James Myers et al.)	
)	Examiner: Robert D. Rines
Serial No. 09/391,427)	
)	Group Art Unit No. 3686
Filing Date: September 8, 1999)	
)	Confirmation No. 8593
For Combination Reservation and)	
Navigation System and Method)	
Therefor)	

REPLY BRIEF

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sirs:

Appellant submits this Reply Brief in response to the Examiner's Answer mailed December 24, 2008. This Reply Brief is filed prior to the end of the two month time window provided under 37 CFR 41.41 and MPEP 1208.

Reply to Examiner's Answer

The Appellant maintains that the claims are patentable over the asserted combinations of Zeitman (U.S. 5,940,481), Application Background, DeLorme et al (U.S. 5,948,040), and Sehr (U.S. 6,085,976).

The Examiner's Answer continues to overly broadly read the references, and also try to dissect the meaning of the claimed features, which leads to false conclusions. The Examiner's Answer splits the language "automatically determining location information" from "in response to receiving the confirmation information" to try to find that the claims read on the reference. It is clear from the claim language, however, that the automatic determination is in response to receiving confirmation information, and it does not make sense to split up this feature to try to reject the claims. Moreover, none of the references disclose or suggest this feature. DeLorme et al., which the Examiner's Answer relies on for this feature, discloses a user of the TRIPS system making a reservation and then the user uses GPS to guide them in their travel. Col. 10, ll. 46-51. There is no disclosure, however, of the system automatically determining location information in response to receiving confirmation information, which is recited by the claims. Applicants maintain that this feature is missing from all the references, alone or in combination, and therefore the rejection should be withdrawn.

A. Claim 12

Independent claim 12 recites a method "wherein the customer geographic location is automatically determined for the customer by a location-determining device in response to receipt of the confirmation information." As noted above, none of the references, alone or in combination, disclose or suggest automatically determining a customer geographic location for the customer by a location-determining device in response to receipt of confirmation information, as recited by the claims. Since at least the feature of automatically providing information "in response to receipt of the confirmation information" is an element completely missing from the references, Appellant respectfully requests review of the final rejection directed against the current application and withdrawal of the rejections against the claims.

Claims 13-15, 17, 59-63 and 66-77 depend from claim 12, and are submitted to be allowable for at least the same reasons.

B. Claim 20

Pending independent claim 20 recites transmitting a request for electronic navigation information responsive to the step of receiving the confirmation information. As described above, none of the references, alone or in combination, discloses or suggests such features. For at least the reasons discussed above with regard to claim 12, Appellant respectfully requests that this rejection also be withdrawn. Claims 21-22 and 24-25 depend from claim 20, and are submitted to be allowable for at least the same reasons.

C. Claim 38

Pending independent claim 38 recites receiving electronic navigation information from the reservation communication device over a communication channel via the first communication interface responsive to the step of receiving the confirmation information. As described above, none of the references, alone or in combination, discloses or suggests such features. For at least the reasons discussed above with regard to claim 12, Appellant respectfully requests that this rejection also be withdrawn. Claims 39-43 depend from claim 38, and are submitted to be allowable for at least the same reasons.

D. Claims 14, 17 and 24

Further to the above, Yoshida, alone or in combination with the other references, fails to disclose or suggest automatically determining a customer geographic location for the customer by a location-determining device in response to receipt of confirmation information. For at least the reasons discussed above, Applicants respectfully request that the rejection of claims 14, 17 and 24 be withdrawn.

E. Claims 15 and 22

Further to the above, Sehr alone or in combination with the other references, fails to disclose or suggest automatically determining a customer geographic location for the customer by a location-determining device in response to receipt of confirmation information. For at least the reasons discussed above, Applicants respectfully request that the rejection of claims 15 and 22 be withdrawn.

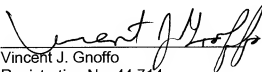
F. Claims 66-68

Further to the above, claims 66-68 depend from claim 12, and since no new reference is being used with this rejection, these claims should be allowed at least for the reasons discussed above. Therefore, Applicants respectfully request that the rejection of claims 66-68 be withdrawn. Moreover, the Office Action has provided no reference to show these features, such as in the context of the claims, and therefore the features are clearly missing from the prior art with regard to the claims. For this additional reason, the rejections should be withdrawn and the claims allowed.

Concluding Remarks

Appellant requests that the Patent Office forward this application to the Board for decision on the appeal upon consideration of the Appeal Brief and Examiner's Answer.

Respectfully submitted,



Vincent J. Gnoffo
Registration No. 44,714
Attorney for Appellant

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(312) 321-4200